

Express Mail Label No. EV 306256705 US  
Patent

ATTORNEY DOCKET NO.: D0932-00432  
[I-8847]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael J. Lembo et al.

Serial No.: not yet assigned

Group Art Unit: not yet assigned

Filed: herewith

Examiner: not yet assigned

For: **APPARATUS AND METHOD FOR FORMING PERFORATED BAND JOIST  
INSULATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Express Mail Label No. EV 306256705 US

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service using express mail Post Office to addressee service, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

January 23, 2004  
Date  
Steven E. Koffs  
Steven E. Koffs, Reg. No. 37,163

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR.  
§ 1.56 in connection with the above-identified application, which statement is being filed:

- ☒ [ X ] Together with the present application.
- ☐ [ ] Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. [37 CFR § 1.97(b)]
- ☐ [ ] After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. [37 CFR § 1.97(c)]
- ☐ [ ] After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. [37 CFR § 1.97(d)]

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

☒ No separate requirements are needed.

☒ No additional fee is required.

☐ **Fee Under 37 CFR § 1.97(c)**

The fee of \$180.00 for submission of an IDS under § 1.97(c) as set forth in § 1.17(p) accompanies this statement.

☐ **Fee Under 37 CFR § 1.97(d)**

The fee of \$180.00 for submission of an information disclosure statement under § 1.97(d) set forth in § 1.17(p) accompanies this statement.

☐ **Certification Under 37 CFR § 1.97(e)**

( ) Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or

( ) No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

**Provision of Copies of References**

☒ Copies of cited references which are U.S. Patents or U.S. Patent Application Publications are not required for this application, which has a filing date after June 30, 2003 (1276 OG 55, 5 August 2003).

- [ X ] A copy of each of the following references (also) listed on the attached Form PTO-1449 which are not U.S. Patents or U.S. Patent Application Publications are enclosed herewith and forms a part hereof:
- [ ] Partial Translations of References are enclosed herewith and form a part hereof.
- [ ] A copy of the European Search Report from a corresponding or related EPO application is enclosed herewith.
- [ ] A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

**Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted**

- [ ] This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior U.S. Application No(s). All references listed on the enclosed form PTO-1449 except for the above 2 enclosed references were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application:
- [x] The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679. A duplicate copy of this transmittal is attached.

Respectfully submitted,

DATE: January 23, 2004

Steven E. Koffs  
Steven E. Koffs  
Registration No. 37,163  
Attorney for Applicant(s)

DUANE MORRIS LLP  
One Liberty Place  
Philadelphia, PA 19103-7396  
Telephone: 215-979-1250  
Fax: 215-979-1020

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 5

**Complete if Known**

Application Number	not yet assigned
Filing Date	herewith
First Named Inventor	Michael J. Lembo
Art Unit	not yet assigned
Examiner Name	not yet assigned
Attorney Docket Number	D0932-00432

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 2001/0030018 A1	10-18-2001	Weinstein et al.	
		US- 2002/0015814 A1	02-07-2002	Weinstein et al.	
		US- 2002/0040556 A1	04-11-2002	Weinstein et al.	
		US- 2002/0136854 A1	09-26-2002	Smith et al.	
		US- 2002/0182965 A1	12-05-2002	Snyden	
		US- 2003/0183055 A1	10-02-2003	Allwein et al.	
		US- 1,238,356	08-28-1917	W.M. Stokes	
		US- 3,812,002	05-21-1974	R.D. Lurie	
		US- 3,910,145	10-07-1975	Bender et al.	
		US- 3,958,385	05-25-1976	Bondra, Jr. et al.	
		US- 3,964,232	06-22-1976	Bender et al.	
		US- 3,979,537	09-07-1976	Troyer	
		US- 4,188,248	02-12-1980	Millgardh et al.	
		US- 4,293,607	10-06-1981	Millgardh et al.	
		US- 4,342,610	08-03-1982	Ray, Jr.	
		US- 4,347,985	09-07-1982	Simpson	
		US- 4,397,898	08-09-1983	Ray, Jr.	
		US- 4,664,006	05-12-1987	Mitchell	
		US- 4,726,985	02-23-1988	Fay et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>d</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		DE 197 00 373 A1	02-12-1998	Malheiros-Stellmach		<input checked="" type="checkbox"/>
		DE 3118597 A1	02-12-1998	Grunzweig & Hartmann		<input checked="" type="checkbox"/>
		DE 32 29 601 A1	02-09-1984	Grunzweig & Hartmann		<input checked="" type="checkbox"/>
		DE 41 08 110 A1	12-12-1991	Krickl Luftungsbau		<input type="checkbox"/>
		DE 44 35 317 A1	04-11-1998	Kropf, Alfred		<input type="checkbox"/>
		GB 1 358 345	07-03-1974	Johns-Manville Corp.		<input type="checkbox"/>

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2

of 5

**Complete if Known**

Application Number	not yet assigned
Filing Date	herewith
First Named Inventor	Michael J. Lembo
Art Unit	not yet assigned
Examiner Name	not yet assigned
Attorney Docket Number	D0932-00432

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 4,756,495	07-12-1988	Gibb	
		US- 4,764,420	08-16-1988	Gluck et al.	
		US- 4,835,045	05-30-1989	Kielmeyer et al.	
		US- 4,866,905	09-19-1989	Bihy et al.	
		US- 4,972,644	11-27-1990	Rumiesz, Jr. et al.	
		US- 5,046,392	09-10-1991	Keon et al.	
		US- 5,246,760	09-21-1993	Krickl	
		US- 5,331,787	07-26-1994	Paulitschke et al.	
		US- 5,545,279	08-13-1996	Hall et al.	
		US- 5,567,504	10-22-1996	Schakel et al.	
		US- 5,642,601	07-01-1997	Thompson, Jr. et al.	
		US- 5,765,318	06-16-1998	Michelsen	
		US- 5,848,509	12-15-1998	Knapp et al.	
		US- 6,007,902	12-28-1999	Adur et al.	
		US- 6,083,594	07-04-2000	Weinstein et al.	
		US- 6,083,603	07-04-2000	Patel, et al.	
		US- 6,148,702	11-21-2000	Bucks	
		US- 6,165,305	12-26-2000	Weinstein et al.	
		US- 6,170,369 B1	01-09-2001	Weinstein et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		GM 78 30 352 U1	01-25-1979	Rutgerswerke AG		<input checked="" type="checkbox"/>
		GM 79 20 480	11-10-1979	Grunzberg & Hartmann		<input checked="" type="checkbox"/>
		G 93 02 056.2	08-05-1993	Gefinex-Jackson GmbH		<input checked="" type="checkbox"/>
		EP 0 732 464 A1	09-18-1996	Scherer, Josef		<input checked="" type="checkbox"/>
		WO 98/42930	10-01-1998	Naber, Wilfried		<input type="checkbox"/>
		WO 01/63063 A1	08-30-2001	Pfleiderer Dammstoff...		<input type="checkbox"/>

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO

**(Use as many sheets as necessary)**

Sheet	3	of	5
-------	---	----	---

**Complete if Known**

Application Number	not yet assigned
Filing Date	herewith
First Named Inventor	Michael J. Lembo
Art Unit	not yet assigned
Examiner Name	not yet assigned
Attorney Docket Number	D0932-00432

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Completeness if Known</b>	
		Application Number	not yet assigned
		Filing Date	not yet assigned
		First Named Inventor	Michael J. Lembo
		Art Unit	not yet assigned
		Examiner Name	not yet assigned
Sheet 4	of 5	Attorney Docket Number	D0932-00432

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BChydro "Band Joist Insulation" <a href="http://www.bchydro.com/powersmart/elibrary/elibrary642.html?printnow">http://www.bchydro.com/powersmart/elibrary/elibrary642.html? printnow</a> , 10/17/2003	
		Bernal "Single-Slot Modules" <a href="http://www.bernaltech.com/content.asp?pageID=16">http://www.bernaltech.com/content.asp? pageID=16</a>	
		CertainTeed "Fiber Glass Insulation" <a href="http://insulation.certainteed.com/cinsulate/cict0001p.html">http://insulation.certainteed.com/cinsulate/cict0001p.html</a> , 01/13/2003	
		CertainTeed "Standard Batts and Rolls" <a href="http://insulation.certainteed.com/cinsulate/cict00101p.html">http://insulation.certainteed.com/cinsulate/cict00101p.html</a> , 01/13/2003	
		Commodore Plastics <a href="http://www.commodoreplastics.com/content_grinder.html">http://www.commodoreplastics.com/content_grinder.html</a> , 10/20/2003	
		Corfine "Soft Anvil Web-Fed Rotary Die", 12/09/2003	
		Gullfiber Insulation with Gullfiber, Do-it-yourself, December 1983	✓
		Gullfiber M-Skiva, Mar 1984	
		GWJ Company "Trim, Matrix, Waste Removal Systems" <a href="http://www.flexopress.com/trimremoval/trimremoval.html">http://www.flexopress.com/trimremoval/trimremoval.html</a> , 10/20/2003	
		David K. Hart Company (Hart Co.) "Soft Anvil Die Cutting System", <a href="http://www.die-cut.com/soft_anvil.html">http://www.die-cut.com/soft_anvil.html</a> , 6/16/2003	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Applicant Number	not yet assigned
				Filing Date	not yet assigned
				First Named Inventor	Michael J. Lembo
				Art Unit	not yet assigned
				Examiner Name	not yet assigned
Sheet	5	of	5	Attorney Docket Number	D0932-00432

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		IOWA Energy Center "The Basement" <a href="http://www.energy.iastate.edu/efficiency/residential/homeseries/insulation/basement.htm">http://www.energy.iastate.edu/efficiency/residential/homeseries/insulation/basement.htm</a> , 10/17/2003	
		Johns Manville, EasyFit	
		Johns Manville, Formaldehyde-free	
		K. O'Neil Machinery Sales "Cutter" <a href="http://www.one1/machinery.com/detail.asp?id=5214">http://www.one1/machinery.com/detail.asp?id=5214</a>	
		Precision AirConvey (PAC), 78-GP Series Granulator - Internal View, <a href="http://www.precisioncutters.com/products/granulator/model78g/inside78g/inside78g.htm">http://www.precisioncutters.com/products/granulator/model78g/inside78g/inside78g.htm</a>	
		Superfos Glass Wool, Glasuld Perfofilt, January 1975	✓

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.